

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

| | | |
|----------------------------------|---|------------------------|
| RAY V. MARABLE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Case No. 4:06-CV-00065 |
| v. |) | |
| |) | |
| MICHAEL J. ASTRUE, |) | <u>ORDER</u> |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

On November 8, 2006, this Court entered an *Order* [7] referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The Magistrate Judge filed his *Report and Recommendation* [10] on May 9, 2007. In that *Report*, the Magistrate Judge recommended that I dismiss this case for failure to prosecute because the Plaintiff did not comply with this Court's March 10, 2005, standing order regarding the filing of briefs. After a careful review of the entire record in this case and no objections having been filed to the Magistrate Judge's *Report* within ten (10) days of its service upon the parties, this Court adopts the Magistrate Judge's *Report* in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The *Report and Recommendation* of the United States Magistrate Judge, filed May 3, 2007, shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in the Magistrate Judge's *Report*, the Commissioner's final decision is hereby **AFFIRMED** and this case is hereby **DISMISSED** from the active docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge B. Waugh Crigler.

ENTERED this 25th day of May, 2007.

s/Jackson L. Kiser
Senior United States District Judge